

Record/FILE ON DEMAND

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

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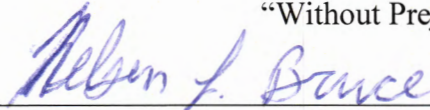
Nelson L. Bruce, <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> Pentagon Federal Credit Union; et al. <p style="text-align: center;">Defendants.</p>	Case No.: 2:22-cv-02211-BHH-MGB PLAINTIFF'S MOTION FOR LEAVE TO FILE SUR-REPLY TO DEFENDANT LEXISNEXIX REPLY (ECF NO. 125)
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Plaintiff respectfully request leave to file a sur-reply to Defendants Reply [ECF No. 125 to Plaintiff's Opposition [ECF No. 116]. Plaintiff seeks to file this sur-reply for the limited purpose of addressing the unhinged and inflammatory, unsupported allegations in Defendant's Reply made against Plaintiffs by their presumed, undersigned counsel and to bring forth, clarify and address the facts in this matter that are supported by the evidence filed on the record and by the policies and procedures of the CRA's and by law. In defendants Reply, Defendants makes several unsupported allegations that conflict with the evidence already filed on the record and as presented in the attached Sur-Reply to which plaintiff objects to with supported facts for example, Defendant alleges that, "the SAC makes no mention of any bankruptcy record at all." (See...ECF No. 125 at 4)". This is inaccurate as specified in plaintiff's sur-reply because plaintiff's SAVC evidences that plaintiff mentions a bankruptcy 3 times (See...SAVC ¶¶s 33-34, and 107). Plaintiff hereby request the Court's permission to file a sur-reply to Defendants Reply [ECF No. 125]. *See, e.g., Perez v. S.C. Dep't of Labor, Licensing & Regulation*, No. CV 3:17-3187-JFA, 2018 WL 2455093, at *4 (D.S.C. June 1, 2018) ("[I]f a party asks the court for permission, the court may allow a party to file an additional response or "surreply."); *Mitchell v. Conseco Life Ins. Co.*, No. CA 8:12-548-TMC,

2013 WL 2407129, at *3 (D.S.C. June 3, 2013) (“With the court’s permission, Conseco also filed a sur-reply opposing the motion to certify class.”). Plaintiff seek a fair opportunity to respond defendant’s improper allegations and request that the Court accept a brief Sur-reply for that purpose. The proposed sur-reply is being attached to this motion. (Exhibit I), Proposed Sur-Reply). Plaintiff has not conferred with Defendants prior to filing this request due to futility. Dated this 5th day of September, 2023.

RESPECTFULLY PRESENTED,

“Without Prejudice”



Nelson L. Bruce, Petitioner, Sui Juris
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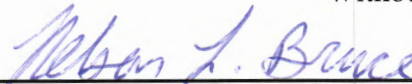
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been mailed to all parties on the service list **via the: UNITED STATES POSTAL SERVICE by the UNITED STATES POST OFFICE via First Class Mail and by the Court's CM/ECF system. Dated this 5th Day of September, 2023.**

SENT TO:

William J. Farley III
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Counsel for Defendant LexisNexis Risk Solutions Inc.

“Without Prejudice”



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